



Recommendations for ReCode Map Draft 2 and ReCode Text Draft 3

Comment Submission to ReCode Knoxville By Knox County Democratic Party Progressive Action Committee

October 31, 2018

More Orange, Please

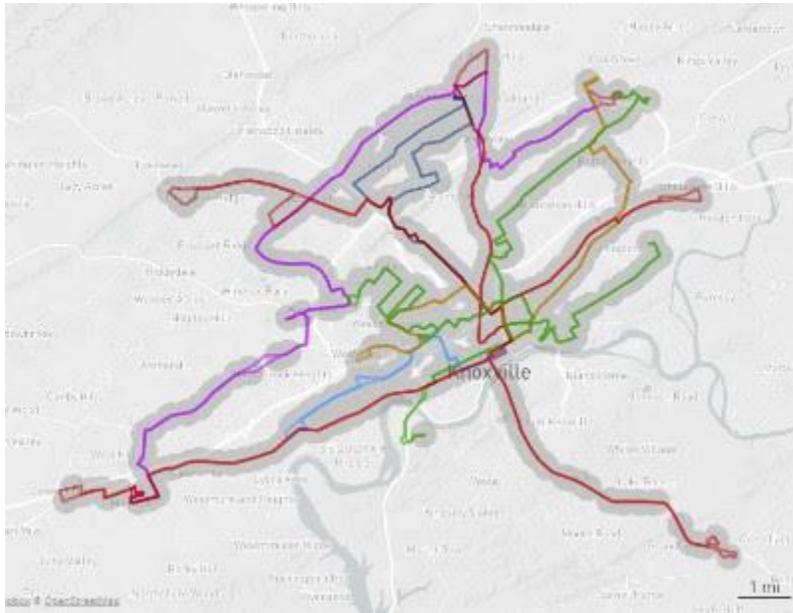
The Knox County Democratic Party Progressive Action Committee (PAC) appreciates the Metropolitan Planning Commission (MPC) staff's continued work to revise the ReCode draft to respond to residents' comments and concerns. We especially appreciate the efforts to bring more orange multifamily zoning (RN-3, RN-4, and RN-5) to some areas of Knoxville, such as along the Magnolia corridor.

However, we would like to encourage MPC to add back even more multifamily zoning to the ReCode draft map. In many instances, such as the area of Fountain City west of the lake that we highlighted in our [last set of comments](#), the multifamily zoning that was added back in was to make consistent the zoning designation with existing multifamily structures rather than to add in significant areas of opportunity for future multifamily developments. PAC believes that the status quo is not good enough. We must allow in our zoning code for the by-right development of more duplexes and other "missing middle" small-scale multifamily units if we hope to address Knoxville's affordable housing shortage. It is important to remember that over 53% of Knoxville's population rents rather than owns their home, and we need to make sure they have increased affordable housing options under ReCode.

Big Orange Bus Routes

A logical place for MPC to add back more orange multifamily zoning would be within a quarter-mile of Knoxville Area Transit (KAT) core and local bus route stops (see below map). Such bus

routes travel through higher-traffic corridors and streets that already tend to have greater levels of development along them. Thus adding back orange multifamily zoning in those areas would have minimal impact on the core of traditionally single-family neighborhoods.



People who need more affordable housing are also more likely than the general public to need access to public transportation. Creating opportunities for development of affordable multifamily housing along core and local bus routes can thus help achieve the goal of providing affordable housing to those who need it most while also addressing their transportation needs. Furthermore, by increasing density along bus routes, which is likely to boost ridership for KAT, we can increase KAT's financial viability while also reducing the city's carbon footprint.

Mixed-Use Commercial/Residential Not the Same as Affordable Housing

At a ReCode community meeting on October 22, 2018, it was mentioned that due to the new allowance for residential mixed use in commercial districts under ReCode, the opportunity to develop housing on lots in Knoxville has grown from about 60% of lots in the city to about 95% of lots. That is a great change that PAC lauds, because increasing the overall stock of housing is a positive step towards reducing the market pressures that push up housing costs and exacerbate the shortage of affordable housing. However, just because the stock of available housing is permitted to grow does not mean that the new housing that is built will be affordable. And increasing the opportunity for development of more *affordable* housing is the goal of the PAC.

As with all new development, it must be profitable for those developing it. As construction costs and complexity rise, those expenses must be passed along to the end user making the price to own and/or rent new construction (without subsidy) only available to folks with moderate to

higher incomes. For this reason, the type of dwelling being constructed is important as it relates to project cost and affordability.

Residential dwellings are built under the International Residential Code (IRC), and in Tennessee require sprinklers for any building with three or more units. Residential fire-suppression will cost between \$2,000 - \$5,000 per unit. Mixed-use structures with both commercial and residential uses are built under the International Building Code (IBC) requiring much more complex fire-suppression systems with a base cost of \$80,000 plus additional costs for each unit. Other elements such as elevators, Americans with Disabilities Act (ADA) accessibility, parking lots, and landscaping that are required for the types of mixed-use structures that would be located on corridors increase their cost and decrease their affordability.

Noting all of this, the lowest hanging fruit and least complex elements for providing more affordable housing would be the allowance of ADUs (accessory dwelling units) and duplexes by right, followed by small-scale multifamily residential.

While PAC fully supports mixed-use residential/commercial zoning as allowed in the ReCode, we believe it is a mistake to say that developing mixed-use housing along commercial corridors is an adequate substitute for allowing duplexes and other small-scale multifamily housing in other parts of our city (such as a quarter-mile from bus routes, as suggested above).

Eliminating the Orange Does Not Right Past Wrongs

MPC Director Gerald Green implied at a City Council ReCode Workshop on September 20, 2018, that past orange multifamily zoning in the central city was premised on discriminatory intentions. His exact words were as follows:

“The existing R-2 is mapped primarily in those communities close to downtown, and I’ve seen this as a planner and other cities, that in the 60’s...I’m trying to be...uh...frank, but not too frank...that all those close-in neighborhoods were zoned multifamily, because that was the place that ‘those people’ in multifamily should live and the suburbs were zoned single family. Is that the appropriate zoning template that we want to continue in the future?” (at approximately minute 30:50 of the [Community Television of Knoxville’s online video of the workshop](#))

While he is correct that in past decades zoning was used to segregate and discriminate (as the PAC pointed out in our [previous ReCode comments](#)), Mr. Green’s method for addressing that problem by eliminating large areas areas of multifamily zoning without replacing them elsewhere in the city is not the right solution. In fact, considering that the areas of Knoxville close to downtown are becoming increasingly popular places for residents to live, now is precisely the wrong time to remove multifamily zoning from those areas. Doing so would have the same result as the discriminatory zoning Mr. Green referred to from the 1960’s. It would reduce housing options for low-income people in desirable neighborhoods.

In the 1960's the "desirable" neighborhoods were in the suburbs, thus under the discriminatory zoning template, multifamily zoning was only allowed in the city center. Now increasingly the "desirable" neighborhoods are in the city center. If we want to avoid following the discriminatory zoning template of past decades, we have to recognize that modern-day development patterns have reversed, and we must protect multifamily zoning and the availability of affordable housing in the city center.

A bit later in that same City Council ReCode Workshop on September 20, Mr. Green stated that in many of the places where multifamily zoning was removed in the ReCode draft, "the infrastructure does not...would not accommodate multifamily at the scale that even the existing R-2 permits.(...)" (at approximately 34:35 of the [Community Television of Knoxville's online video of the workshop](#)). The PAC acknowledges the constraints that infrastructure provides in some neighborhoods, and that is why the PAC recommends that MPC implement RN-3, RN-4, or RN-5 within a quarter-mile of existing core and local KAT bus lines, areas that tend to already have the necessary infrastructure to support multifamily housing. We would also like to note that increased density tends to lead to an increase in property tax revenue for the City that could be used to improve or provide new infrastructure necessary for said density.

Allow One More Round of Public Comments

PAC greatly appreciates the decision made at the ReCode Stakeholder Advisory Committee meeting on October 24, 2018, for MPC to continue its review of ReCode into December, add additional ReCode workshops, and postpone a vote on the final ReCode draft. Allowing sufficient time for community input and comment on the ReCode text and map drafts, and setting deadlines that allow for the comments submitted to potentially be incorporated into the final ReCode draft (not as an addendum) is crucial to ensuring that Knoxville ends up with a final ReCode zoning document that reflects a thoughtful balance of the interests and priorities of the community

Going forward, we would like to expand upon the recommendation made in our [last set of ReCode comments](#), in which we asked for at least one more round of public ReCode comments. In order for a public comment period to have its intended effect of engaging the public and getting substantive feedback on a new ReCode draft, sufficient time must be allowed for the community to thoughtfully consider the draft and develop their comments. This current round of comments was only open for 17 days, from October 15 to October 31, 2018, including only four weekend days on which most people with full-time jobs would have available to draft comments. That is much too little time for a community group like PAC to substantively review the changes made to ReCode, do necessary research, attend the ReCode community meetings, meet with appropriate people, and draft thoughtful comments.

To highlight our point, take as an example the amount of time PAC spent engaging the community and preparing our last set of comments submitted on September 20, 2018. During that month-and-a-half comment window, PAC:

- Held a public meeting about ReCode for any progressives interested in getting involved in our research and comments process
- Attended multiple MPC and other community meetings on the ReCode draft
- Reviewed the ReCode draft changes and compared them to the last round of comments we submitted
- Had meetings with some City Council Members and MPC staff
- Held one PAC ReCode Taskforce meeting to discuss our findings and start drafting comments
- Distributed information about ReCode via social media and our e-newsletter
- Walked/drove three neighborhoods and combed KGIS maps to see how the ReCode draft map syncs with the reality on the ground
- Prepared a script/talking points for and were interviewed on local [Democratic Television](#) about ReCode and its impact on affordable housing
- Spent over 40 cumulative hours drafting, reviewing, and revising these draft comments

PAC accomplished all of that in a month and a half as non-experts while maintaining full-time employment and/or caring for our families and attending to other life obligations. And yet we still were not able to research every aspect of ReCode that we wanted, meet with every City Council Member or any MPC Commissioners, or review a substantial percentage of the ReCode draft map.

With only a 17-day window for this current round of comments, we have not had time to hold any PAC ReCode meetings open to the public or even hold a meeting of our full ReCode Taskforce. We have not had time to meet with any additional City Council Members or city staff. We haven't had time to walk any neighborhoods to survey where changes to the ReCode map were made and determine what specific changes to the zoning designations that we would suggest.

The impact of such a short ReCode comments submission window is that potential community involvement and input is dramatically reduced.

Mr. Green has defended the ReCode comment period deadlines by stating that the ReCode will be a living document that can be changed any time in the future. At the ReCode community meeting on October 22, 2018, Mr. Green mentioned that there will be a review of the ReCode after the first year of implementation to determine if anything needs to be changed, and that subsequent reviews can be done by city staff as the need arises. However, when asked what processes would be in place during those reviews to take into account public input, he provided no details. Without provision for formal public comment during the post-implementation ReCode reviews, broad community involvement and input is much more difficult and unlikely to happen.

That is why PAC believes it is so important to have sufficient time for substantive public comment *before* ReCode is voted on by MPC and passed by City Council.

As such, PAC urges MPC to:

- Publish at least one more ReCode draft text and map,
- Have at least one more public comment period that is at least 45 days long, and
- Allow for the potential of the comments submitted during the additional comment period to be incorporated into the final ReCode draft text and map (not as an addendum) that goes to MPC and then City Council for a vote.

For questions on this comment submission, please contact kcdpprogressives@outlook.com.