



AGENDA ITEM #: 8

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Buz Johnson, Deputy Director
DATE: Wednesday, September 30, 2009
SUBJECT: Amendments to correct various sections of the City of Knoxville Zoning Ordinance
10-A-09-OA

STAFF RECOMMENDATION:

Approve the amendments as described in the attachment which correct current discrepancies in the City Zoning Ordinance.

BACKGROUND:

The MPC staff, in cooperation with the City Law Department and Plans Review staff, has prepared four amendments to correct several discrepancies in the City of Knoxville Zoning Ordinance. These discrepancies have been discovered over time and deal with the following sections:

- Article IV, Section 2.3.3, I-4 Heavy Industrial District (Commercial Telecommunications Towers)
- Article V, Section 10, Signs, Billboards, and Other Advertising Structures (Electronic Message Centers)
- Article V, Section 10, Signs, Billboards, and Other Advertising Structures (Traditional Neighborhood Development Signs)
- Article VII, Section 5, Procedures (Effective Dates for MPC Approvals)

Please contact the MPC staff if there are any questions.

**PROPOSED CORRECTIONS TO THE CITY OF KNOXVILLE
ZONING ORDINANCE**

Deleted language is marked with a ~~strike through~~
New language (except for headings) is in **bold face** type.

Only affected sections of the zoning ordinance are shown.

Correction 1.

Article IV, Section 2.3.3, shall be corrected to remove commercial telecommunications towers as a permitted use in Subsection B as they are listed as a use permitted on review in Subsection C. (For reference, Ordinance 0-197-96, 7/2/96, added Commercial Telecommunications Towers as a permitted use in the I-4 zone and Ordinance 0-439-99, 10/19/99, added them as a use permitted on review without deleting them as a permitted use.)

2.3.3. I-4 heavy industrial district.

B. *Uses permitted.* Property and buildings in the I-4 heavy industrial district shall be used only for the following purposes:

~~6. Commercial telecommunications towers.~~

C. *Uses permitted on review.*

1. The following uses may be permitted, on review by the planning commission in accordance with provisions contained in article VII, section 5:

v. Commercial telecommunications towers. *(As currently shown.)*

Correction 2

Article V, Section 10, shall be corrected in Sec 10.E.2.n. and Sec. 10.G.5.m. to remove the exception on no minimum matrix area and the reference that the matrix area shall not exceed 20 sq. ft.

Sec. 10. Signs, billboards, and other advertising structures.

E. *Commercial districts.* In C, commercial and SC, shopping center districts, the following regulations shall apply:

2. Within all commercial districts the following regulations shall apply to electronic message centers (EMC):

- n. An EMC used as a changeable price sign shall be integrated into a business ground sign or monument sign or be placed on a canopy or wall in accordance with these regulations, ~~except that there is no minimum matrix area and the matrix area shall not exceed twenty (20) square feet.~~ For the purposes of these regulations a changeable price sign is one that shows a product or service, such as fuel or hotel/motel room rates as an unchanging element of the sign and only the price is changeable.

G. *Industrial districts.* In I, industrial districts, the following regulations shall apply:

- 5. Within all industrial districts the following regulations shall apply to Electronic Message Centers (EMC).

- m. An EMC used as a changeable price sign shall be integrated into a business ground sign or monument sign or be placed on a canopy or wall in accordance with these regulations, ~~except that there is no minimum matrix area and the matrix area shall not exceed twenty (20) square feet.~~ For the purposes of these regulations a changeable price sign is one that shows a product or service, such as fuel or hotel/motel room rates as an unchanging element of the sign and only the price is changeable.

Correction 3

Article V, Section 10, shall be corrected in Sec. 10.I.3. to reference the correct citation at the end of the table, as amended by Ordinance O-37-09, § 1, 3/4/09.

Height of Building	Max. Column Height & Width	Max. Height of Sign	Max. Width of Sign	Total Area of Each Face*
1 story or 1 1/2 stories	3 ft. 6 in. tall, and 18 in. wide	3 feet	4 feet	12 sq. ft. plus columns
2 stories	4 ft. 6 in. tall, and 20 in. wide	4 feet	5 feet	20 sq. ft. plus columns
3 or more stories	5 ft. 6 in. tall, and 24 in. wide	5 feet	6 feet	30 sq. ft plus columns

* See article V, section 10, A.16.e.18

Correction 4

Article VII, Section 5.B.5, shall be corrected to reflect that the effective date for planning commission approval shall be fifteen days instead of thirty days, consistent with Article VII, Section 6.G., as amended by Ordinance No. 0-192-83, 11/8/1983.

Sec. 5. Procedure for considering subdivisions, development plans, and uses on review within south waterfront zoning districts, overlay districts and other districts requiring design related plan review.

B. *Uses permitted on review.*

5. *Effective date of approval; issuance of permit.*

- a. Planning commission approval shall become effective ~~thirty (30)~~ **fifteen (15)** days from the date of the public hearing at which approval is granted.
- b. No building permit shall be issued prior to the effective date of approval.
- c. The building permit shall be issued subject to all conditions and requirements stipulated by the planning commission.

Sec. 6. Amendments.

G. *Issuance of building permit.* No building permit shall be issued until the sixteenth days after action by the metropolitan planning commission or board of zoning appeals. If the action of the metropolitan planning commission or board of zoning appeals is appealed to city council, no building permit shall be issued until council has acted on the appeal. *(As currently shown.)*