



MEMORANDUM

TO: Metropolitan Planning Commission

FROM: Mark Donaldson, Executive Director

DATE: August 12, 2010

SUBJECT: 8-B-10-OA
Consideration of amendments to the Knox County Zoning Ordinance regarding standards and requirements for flea markets

Request:

Knox County Commission at its June 28, 2010 meeting requested that MPC study the issue of flea markets in the Knox County Zoning Ordinance and recommend appropriate amendments.

Background:

The Knox County Zoning Ordinance currently defines flea markets as follows:

FLEA MARKET - The occasional or periodic sale held in an open area where groups of individual sellers offer goods for sale to the public and the sale goods are moved off the premise between sale dates.

Flea markets are listed as permitted uses in the CA (General Business), CB (Business and Manufacturing) and CH (Highway Commercial) zone districts.

There are currently no standards specific to flea markets in the Zoning Ordinance.

Analysis:

A review of zoning regulations of other jurisdictions was completed. The Knox County definition and zones where permitted are comparable to those ordinances observed.

Many cities and counties allow flea markets as conditional or specific uses. Most require special permits and many established minimum standards of operation for such items as minimum size of parcel, access, days of operation, parking, lighting, screening, vendors licensing and site plan approval.

Staff Recommendation:

Staff recommends the following:

1. Flea Markets should be required to obtain a permit from Knox County Codes Administration and Inspections.
2. All vendors at flea markets should be required to obtain and display a business tax license obtained from the Knox County Clerk.
3. The following standards for flea markets are proposed to be added to Article 4 (Supplementary Regulations) of the Knox County Zoning Ordinance:

Section 4.103 Standards for Flea Markets

- 4.103.01 **Purpose.** In order to minimize any adverse impacts on neighboring properties and streets, this section prescribes standards for facilities operated as flea markets.
- 4.103.02 **Permit Required.** A permit shall be obtained from the Knox County Codes Administration and Inspections department prior to operation and shall be valid for a period of one (1) calendar year from the date of issue, after which time a new permit and site plan shall be required. A site plan showing designated vendor spaces, required off-street parking, adequate drive aisles, appropriate landscape buffers, and any other pertinent information as required by the department shall be submitted as a part of the permit application. A new permit and revised site plan shall also be required for any expansion beyond the original proposal.
- 4.103.03 **Authorization of Owner Required.** Authorization from the owner of the property must be obtained as part of the permit application.
- 4.103.04 **Minimum parcel size.** The property shall be a minimum of 5 acres in size.
- 4.103.05 **Access.** The property shall have frontage on an arterial or major collector road, as designated on the Knoxville-Knox County Major Road Plan.
- 4.103.06 **Time of Operation.** Operation of a flea market is limited to 3 days per week. All evidence of use must be removed from the premises for the balance of the week.
- 4.103.07 **Display of Goods.** Display of goods for sale shall be within designated vendor spaces as shown on the site plan.
- 4.103.08 **Off-street parking.** Sites used for flea markets shall comply with the off-street parking in accordance with Article 3, Section 3.50 of the Knox County Zoning Ordinance and shall be provide 1 off-street parking space for every 400 square feet of designated vendor space as shown on the approved site plan.
- 4.103.09 **Lighting.** Lighting shall be shielded from adjacent property in accordance with Article 4, Section 4.10.10 of the Knox County Zoning Ordinance.
- 4.103.10 **Signage.** Signage shall be provided in accordance with Article 3, Section 3.90 of the Knox County Zoning Ordinance.
- 4.103.11 **Landscape Screening.** Landscape screening shall be provided in accordance with Article 4, Section 4.10.11 of the Knox County Zoning Ordinance.
- 4.103.12 **Other County requirements.** Evidence shall be provided that the requirements of the Knox County Health Department and other county departments have been satisfied.
- 4.103.13 **Business tax license required.** Each vendor shall obtain and display a business license obtained from the Knox County Clerk.