



MEMORANDUM

TO: Metropolitan Planning Commission

FROM: Mark Donaldson, Executive Director

DATE: June 14, 2012

SUBJECT: Amendments to the City of Knoxville Zoning Ordinance regarding permitted uses in the I-3 (General Industrial) zone district at Article IV, Section 2.3.2.
6-A-12-OA

REQUEST

MPC has been requested by the City of Knoxville administration to consider and make a recommendation on amendments to the City of Knoxville zoning ordinance regarding the permitted uses allowed in the I-3 (General Industrial) zone district at Article IV, Section 2.3.2.

BACKGROUND

Over the years, the city has had issues with interpretation and enforcement of some of the permitted uses in the I-3 (General Industrial) zone district, in particular, section 2.3.2.B.2.b:

- b. A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.

The wording of this particular permitted use places city administrators in the very difficult position of determining whether or not a retail or service use, which often includes convenience stores with food and beverage operations, serves ONLY the needs of industrial plants and their employees. The need for interpretation leads to conflicts and confusion on the part of business owners and operators.

It is the desire of the city administration to simplify and clarify this particular citation in the zoning ordinance.

ANALYSIS

These listed uses bring into play several local and national trends in land use.

In decades past, Knoxville was extremely aggressive in rezoning large areas of land, including many areas that were existing residential neighborhoods and adjacent to existing residential neighborhoods, to industrial zone districts in hopes of encouraging industrial development. Other

areas, such as around downtown Knoxville, are zoned industrial as a result of historic development patterns revolving around the rail transportation system.

The days that an industrial area has enough employment to support viable retail and service operations that are ONLY for those employees are long gone. The current language used in the zoning ordinance reflects a concept that is no longer possible. To survive, retail and service operations need to serve as broad an area as possible, and, in many situations, offer as broad a scope of goods and services as possible.

There is a growing national trend to provide in appropriate areas a mix of land uses in order to promote more robust economic activity and reduce the need for extensive travel between isolated land uses such as commercial and industrial. Locally, city administrators and MPC staff have received inquiries about appropriate zoning for a mix of operations that may include manufacturing, wholesaling, retailing and eating and drinking operations all under the same ownership at the same location. Each element of the operation may be too small to survive on its own in an independent location, but collectively the overall operation can make a go of it. Beer, wine and baked goods production, wholesale and retail sales and on-site consumption are examples of such operations. The production of these items requires an industrial zoning, while the sales and restaurant type uses require commercial zoning. It seems appropriate to amend the industrial zone district to accommodate the sales and eating and drinking type of operations, rather than change commercial zones to allow manufacturing or industrial uses.

The proposed amendment eliminates the stipulation that retail and service uses must serve ONLY the industrial plants and their employees. It also broadens the list of permitted uses to include eating and drinking establishments in an effort to clarify the ambiguity of retail operations that do many things, including retail and food and beverage operations.

PROPOSED AMENDMENT

Article IV, Section 2.3.2 (I-3, General Industrial District)

B. Uses permitted. Property and buildings in the I-3 general industrial district shall be used only for the following purposes:

2. Any of the following uses:

b. ~~A Retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.~~ **Retail, service, and eating and drinking establishments.**

STAFF RECOMMENDATION

Staff recommends that the planning commission recommend approval of the proposed amendment to the City of Knoxville Zoning Ordinance.