



Agenda Item #6

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Buz Johnson
DATE: December 5, 2013
SUBJECT: Amendments to the Knoxville Zoning Ordinance simplifying and clarifying the tent permitting process and offering an annual permit 12-A-13-OA

BACKGROUND

The City Law Department has requested that MPC consider amendments to the Knoxville Zoning Ordinance that, if adopted, would clarify and simplify the current process to permit tents as temporary structures for events incidental to a zoning district's principal uses. These changes pertain to Article V, Section 13, (Temporary Uses) and Article V, Section 15 (Tents). In preparing these revisions, the Law Department collaborated with the city's Plans Review and Inspections staff, Special Events staff, and the Fire Marshall's office to develop language that includes setback, parking and temporary and annual permitting requirements. This will help to provide protection for the public, as well as those properties where tents are permitted and the properties surrounding such sites.

RECOMMENDATION:

Staff recommends approval of the amendments as shown on the following page.

PROPOSED ZONING AMENDMENTS PERTAINING TO TENT POLICIES

DELETE THE FOLLOWING SECTION AND RENUMBER SUBSEQUENT SECTIONS ACCORDINGLY:

Appendix B, Zoning, Article V, Sec. 13. Temporary uses.

B. The following uses are deemed to be temporary uses and shall also be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

~~5. Religious/nonprofit tent use. In any district, a temporary use permit may be issued for a tent or other temporary structure to house religious/nonprofit activities. But such permit shall be valid for not more than thirty (30) days during any calendar year.~~

REVISE THE FOLLOWING SECTION TO REPLACE THE EXISTING PARAGRAPH WITH NEW LANGUAGE

Appendix B, Zoning, Article V, Sec. 15. Tents.

~~No tent shall be used, erected or maintained as living quarters. Overnight camping tents are permitted on public lands established for camping purposes, and in private camps permitted in districts of this ordinance. Tents used for special events incidental to principal permitted uses of the site may be located in any district for a period not to exceed thirty days during any calendar year, subject to meeting all other requirements of the district.~~

A tent is any structure, enclosure, or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects. Tents for events incidental to the principal permitted use of the site are considered a temporary use and structure; these tents may be located in any district subject to meeting the following requirements:

1. Tents shall be set back from the front property lines(s) a distance as specified in the base zoning district, but the setback shall not be required to be more than fifteen (15) feet.

2. The erection of the tent shall not reduce the required parking for the principal permitted use by more than twenty-five (25) percent. A parking plan must be submitted for approval.

3. On a corner lot, a tent shall not be located within the visibility triangle as shown in the sketch in the Knoxville City Code, Appendix B, Article 5, Section 6(C)(1).

4. Each Temporary Permit shall be for a period not to exceed fifteen (15) consecutive calendar days, and no permit shall be issued for more than forty-five (45) calendar days per year except as stated herein.

5. In the alternative, the Plans Review and Inspections Division of the City of Knoxville shall have authority to issue an Annual Permit for use, erection, and maintenance of tents for extended use, subject to rules adopted by the City; however, such Annual Permit shall not authorize the use or maintenance of a tent for more than fifteen (15) consecutive calendar days or more than forty-five (45) total days per year.

Use, erection, and maintenance of tents shall be subject to compliance with all other applicable codes and regulations of the City. No tent shall be used, erected, or maintained as living quarters. Overnight camping tents are permitted on public lands established for camping purposes, and in private camps permitted in districts of this ordinance.