



MEMORANDUM

Date: December 10, 2019
To: Planning Commission
From: Gerald Green AICP, Executive Director
Subject: **Agenda Item 12-A-19-OA**

Planning staff has worked with City of Knoxville staff to identify minor amendments to the new City of Knoxville Zoning Ordinance to clarify language, correct inconsistencies, and to align ordinance language with processes and procedures. The proposed amendments will have little, if any, impact on the administration of the new zoning ordinance.

A brief overview of the proposed amendments follows:

- Sec 1.4.B – Recognizes and clarifies that the Planning Commission, not the BZA, reviews special use applications.
- Sec 1.4.J – Confirms that Downtown Design Review Guidelines apply to properties in downtown Knoxville.
- Sec 4.1.A – Confirms that the EN district designation can be applied to any neighborhood, as directed by City Council.
- Sec 8.2.A – As a follow up to last month's discussion regarding sign standards for the Institutional district, clarifies that the INST designation should be applied to areas with a minimum size of 5 acres.
- Sec 13.9.F – Clarifies that the identified sign standards apply in the commercial, industrial, and institutional districts.
- Sec 14.12.A and B – Assigns full administration of Downtown Design Review to Planning staff and adds a citizen member to the Design Review Board to replace the City staff appointment that was eliminated.

Planning staff recommends postponement to the January 9, 2020 Planning Commission meeting of the draft ordinance amendment making minor revisions to the new City of Knoxville Zoning Ordinance.

If you have any questions, comments, or would like additional information, please feel free to contact me by email at gerald.green@knoxplanning.org or by phone at 215-3758.

Zoning Code Minor Amendments
December 5, 2019
DRAFT

Sec 1.4.B.2.

1.4 TRANSITION RULES

B. Existing Uses

4. Any use classified as a use on review prior to the effective date of this Code, and that use is now classified as a special use as of the effective date of this Code or any subsequent amendment to this Code, that use is deemed a lawful special use. Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Code for special uses including review by the **Planning Commission.~~Board of Zoning Appeals.~~**

J. Downtown Design Review Guidelines

The Guidelines that applied to each property on December 31, 2019 shall continue to apply to each property, until the Downtown Design Review Guidelines are updated to reflect the new names of the DK Downtown Knoxville sub-districts.

Sec 4.1.A.

4.1 PURPOSE STATEMENTS

A. EN Established Residential Neighborhood Zoning District

The EN Established Residential Neighborhood Zoning District is intended to accommodate Knoxville's older ~~low density~~ neighborhoods, ~~exhibiting a predominant~~ which exhibit a uniform character and have a development pattern of ~~large lots with generous yards and~~ complex, intricately designed homes on a highly connected street network. The EN District provides for the stability of these established neighborhoods, while allowing for continued development that is compatible with the existing development pattern. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

Sec 8.2.A.

8.2 INST INSTITUTIONAL DISTRICT

A. Purpose Statement

The INST Institutional District is intended to accommodate federal, state, county, and municipal governmental operations (with the exception of those operations that are industrial in nature), and campus institutional uses such as healthcare institutions and educational facilities, to allow for their expansion in a manner that protects surrounding neighborhoods. **Areas zoned Institutional should have a minimum area of five (5) acres.** Additional uses may also be permitted, such as residential, and professional office or business uses that are compatible with the character of the district

Sec 13.9.F.

13.9 SIGNS PERMITTED IN SPECIFIC DISTRICTS

F. Commercial, Industrial, and Institutional Districts: C-N, C-G, C-H, C-R, DK, I-MU, I-RD, I-G, I-H, INST

To each subpart 1-4, modify the beginning phrase as follows: "In the commercial, ~~and~~ industrial, ~~and~~ institutional districts, [...]" (Article 13.9.F. parts 1-4)

Sec 14.12.A. and B.

14.12 DESIGN REVIEW BOARD ORGANIZATION

A. Members Generally

The Design Review Board is appointed by the Mayor with the approval of a majority of the City Council and composed of permanent staff and other rotating members as outlined below.

1. Staff (permanent members):

a. Knoxville-Knox County Planning Executive Director, or his/her designee, who is an ex officio non-voting member.

~~b. City's Director of Policy Development, or his/her designee, who is an ex officio non-voting member.~~

2. Other (rotating members):

a. One architect from a slate recommended by AIA East Tennessee.

b. One urban design professional with a background in architecture or urban planning selected from nominations from AIA East Tennessee and the local chapter of the American Planning Association, Knoxville Section of the Tennessee American Planning Association (KAPA).

c. Two Downtown residents.

d. Two business, development, or real estate professionals whose work is largely focused upon Downtown.

e. A member of the Central Business Improvement District Board from a slate proposed by the board.

f. A member of the Historic Zoning Commission.

g. A City of Knoxville resident knowledgeable in design and development

3. Ex-officio members - The following may be called on to serve as non-voting members when cases require their technical and professional expertise:

a. Knoxville-Knox County Planning and Historic Zoning Commission staff.

b. Building official or his/her designee.

c. City Engineering Director or his/her designee.

d. Central Business Improvement District staff.

e. Knoxville Utilities Board staff.

f. Knoxville's Community Development Corporation staff.

g. City Law Department staff.

h. City's Director of Policy and Redevelopment, or his/her designee

B. Terms and Renewals for Members

Each rotating member (after the initial members) of the Design ~~and~~ Review Board are appointed for terms of three years commencing on the date of confirmation of appointment by the City Council. No member may serve more than two full terms or six years.

Sec 16.5.C.

C. Modification of Dimensional Regulations

The dimensional requirements of the DK District may not always be consistent with the intent of the Downtown Design Guidelines. The Design Review Board may issue a certificate of appropriateness to avoid the need for variances in cases where a development has been conceived to respect the historic context of the block, provide greater pedestrian activity at sidewalk level, and/or meet other provisions of the guidelines. **The Design Review Board may approve waivers from the Downtown Design Guidelines when the design guidelines are not appropriate for the particular use or are not feasible due to site constraints or other situations out of control of the property owner or applicant.**