



MEMORANDUM

Date: March 5, 2020
To: Planning Commission
From: Gerald Green AICP, Executive Director
Subject: **Agenda Item 3-A-20-OA**

Staff Recommendation

Staff recommends approval of the four minor amendments to the City of Knoxville Zoning Ordinance as set forth on the attached document and described below.

Background Information

Planning staff continues to work with the Public Stakeholders Advisory Committee and 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 impact on the administration of the new zoning ordinance but will ensure that the ordinance standards are in line with City goals and policies.

A brief overview of the proposed amendments follows:

- Table 9-1: Use Matrix – City Council identified Storage Yard, Outdoor – Secondary Use, permitted as a Special Use in the CG District, as an item to be reviewed further following the adoption of the new zoning code. Staff reviewed existing businesses/uses in the CG District and found none that had storage yards as defined in the new zoning ordinance. Storage as an accessory use is permitted in the CG District and this provision meets the needs of existing businesses. Large storage yards also would conflict with one of the goals of the CG District, promoting pedestrian activity. This information was reviewed by the Public Stakeholder Advisory Committee, which recommended that Storage Yard, Outdoor – Secondary Use be prohibited in the CG District.
- Sec. 10.3.W. – Subsection 1.b requires dumpsters and recycling containers to be enclosed by a fence or wall between 6 and 8 feet in height. This provision assumed all such containers to be above ground. Subsequent to the adoption of the new zoning Code, staff was made aware of a new system for these containers that places the containers primarily below grade. The proposed amendment recognizes that such containers may be below grade and identifies appropriate screening for the below grade containers.
- Table 10-1: Permitted Encroachments Into Required Setbacks – The proposed revision to this table corrects some typos and better clarifies the standards for the location of decks and patios. With the proposed revision, it is made clear that decks are not permitted to encroach into the front setback while patios can.
- Sec. 16.4.C.2. – The revision to this section clarifies and reiterates that Planning staff reviews plans for pocket neighborhoods, as stated in section 4.5 of the 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.

City of Knoxville Zoning Ordinance Minor Amendments
 March 4, 2020
 Draft

Table 9-1: Use Matrix

Delete **Storage Yard, Outdoor – Secondary Use** as a **Special Use** in the C-G District, making the use **prohibited** in the C-G District

Sec. 10.3.W. Refuse Dumpsters, Recycling Containers, and Recycling Collection Facility

Amend subsection 1.b. as follows:

1. b. All traditional refuse dumpsters and recycling containers must be fully enclosed on three sides by a solid fence, wall, ~~or~~ wall extension of the principal building, **or year-round landscaping** a minimum of six feet and a maximum of eight feet in height. The wall or wall extension must be constructed as an integral part of the building’s architectural design. **When used as an alternative to traditional refuse dumpsters and recycling containers, below grade (deep well) refuse collection and recycling systems shall be screened by a decorative wall, solid fence, or year-round landscaping. The wall, fence, or plantings must be of a height equal to or greater than the above ground height of the refuse collection and recycling equipment being screened.**

Table 10-1: Permitted Encroachments Into Required Setbacks

Amend the table as follows:

Table 10-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp and Other Accessibility-Related Structures	Y	Y	Y	Y
Arbor	Y	Y	Y	Y
Balcony <i>Max. of 6' into front, interior side, or corner side setback</i> <i>Max. of 8' into rear setback</i> <i>Min. of 4' from any lot line</i> <i>Min. vertical clearance of 8'</i>	Y	Y	Y	Y
Bay Window <i>Max. of 5' into any setback</i> <i>Min. of 24" above ground</i>	Y	Y	Y	Y
Chimney <i>Max. of 18" into setback</i>	Y	Y	Y	Y
Deck <i>Max. of 5' into front, corner side, or interior side setback</i> <i>Max. of 10' into rear setback</i> <i>Prohibited in front yard</i>	≠ N	Y	Y	Y
Eaves <i>Max. of 2' into setback</i>	Y	Y	Y	Y
Exterior Stairwell <i>Max. of 6' into setback</i> <i>Prohibited in front yard</i>	N	Y	Y	Y
Fire Escape <i>Max. of 3' into setback</i> <i>Prohibited in front yard</i>	N	Y	Y	Y

Table 10-1: Permitted Encroachments Into Required Setbacks				
Y= Permitted // N= Prohibited				
Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Patio Max. of 5' into front, corner side, or interior side setback Max. of 10' into rear setback Prohibited in front yard	Y	Y	Y	Y
Porch - Unenclosed Max. of 5' into front, interior side, or corner side setback Max. of 8' into rear setback Enclosed porches are considered part of the principal structure	Y	Y	Y	Y
Shed Prohibited in front yard Min. of 5' from any lot line	N	N	Y	Y
Sills, belt course, cornices, and ornamental features Max. of 3' into setback	Y	Y	Y	Y
Stoop Max. of 4' into setback	Y	Y	Y	Y
Sunshade Max. of 2' from building wall	Y	Y	Y	Y

Sec. 16.4.C.2

Amend by adding a new subsection d. as follows:

- 2. The Knoxville-Knox County Planning staff will review and approve site plans for the following:
 - a. New construction, additions, and alterations in the EN District.
 - b. New construction, additions, and alterations for townhouse and multi-family dwellings in the RN-4 District as required per Section 4.2.B.1 and Section 4.5.
 - c. New construction, additions, and alterations in the DK-E Sub-District.
 - d. **Pocket neighborhoods in the RN-4, RN-5, RN-6, and RN-7 Districts as required per Section 4.5.**