

Date: August 25, 2020
To: Knoxville-Knox County Planning Commission Amy
From: Brooks, AICP, Interim Executive Director
Subject: 9-A-20-OA Agenda item #35

REQUEST

City Administration has requested that Knoxville-Knox County Planning review and make a recommendation on an amendment to the City of Knoxville Zoning Code, Article 9.2 Use Matrix Table 9-1 to add pre-school/kindergarten as a special use in the Parks and Open Space (OS) Zoning District.

BACKGROUND

Pre-schools and kindergartens are currently allowed as a special use in all the residential districts and as a permitted use in the all commercial and office districts. All pre-schools and kindergartens are subject to additional use standards found in Section 9.3.W including complying with all applicable state and federal regulations.

OS District Purpose

The Parks and Open Space (OS) Zoning District is intended to create, preserve, and enhance public open space to meet the passive and active park and recreational needs of the City. The OS District provides for both improved and unimproved park and recreation lands. Facilities may include, but are not limited to, structures or other active, play-oriented facilities such as playgrounds, recreational fields, ball-fields, sport courts, dog parks, marinas, cemeteries, golf courses, cultural facilities such as museums and libraries, and associated accessory facilities such as recreation and community centers, park administrative offices, and restroom facilities.

ANALYSIS

Allowing pre-schools/kindergarten's in the OS district as a special use is not in conflict with the intent of the OS District and will allow organizations like Ijams Nature Center to establish early learning centers in locations that can more easily meet the licensing requirements for usable open space per child while expanding opportunities for early childhood education. The Special Use process requires a public meeting and will ensure that preschools and kindergartens proposed on an OS zoned property will be compatible with the surrounding uses.

With nature-based pre-schools growing at by 500 percent since 2012 and the need for greater access to high quality child care and early learning programs at an all-time high, expanding the zoning districts

where pre-schools and kindergartens can be located creates more opportunity within the City for stable and high-quality child care. Stable, high quality care is essential to families' economic stability, parents' ability to work, and children's healthy development.

RECOMMENDATION

Staff recommends that the Knoxville-Knox County Planning Commission recommend Knoxville City Council approve an amendment to City of Knoxville Zoning Code, Article 9.2 Use Matrix Table 9-1 to add pre-school/kindergarten as a special use in the Parks and Open Space (OS) Zoning District.

Please let me know if you have any questions.

Exhibit 1: Proposed amendment to Article 9.2 Use Matrix Table 9-1



Changes proposed in 9-1 Use Matrix (Preschool/kindergarten)

9.2 - USE MATRIX

- A. Table 9-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district.
- B. P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district.
- C. In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 9.4.
- D. For accessory uses, see Article 10.
- E. Townhouse and multi-family dwellings are allowed in the RN-4 District as either permitted or special based upon the number of units, as described in Section 4.2.B. Therefore, the use matrix indicates both a P and a S within the cell.
- F. Additional use restrictions apply to certain DK District subdistricts per Section 5.2.B.
- G. Certain uses are prohibited as standalone structures in the OP District per Section 5.2.C.
- H. See Article 7 for use permissions within the CU and SW Districts.
- I. In the case of the C-G-1, C-G-2, and C-G-3 Districts, the uses allowed in the C-G District in Table 9-1 apply to all districts.
- J. In the case of the C-H-1 and C-H-2 Districts, the uses allowed in the C-H District in Table 9-1 apply to all districts.
- K. In the case of the C-R-1 and C-R-2 Districts, the uses allowed in the C-R District in Table 9-1 apply to all districts.

TABLE 9-1: USE MATRIX																								
P = Permitted Use S = Special Use T = Temporary Use																								
PRINCIPAL USE	EN	RN-1	RN-2	RN-3	RN-4	RN-5	RN-6	RN-7	C-N	C-G	C-H	C-R	DK	O	OP	I-MU	I-RD	I-G	I-H	AG	INST	OS	NA	USE STANDARD (Section)
Agriculture																				P	P			
Airport																			P					
Alternative Correctional Facility											S													
Amusement Facility—Indoor										P	P	P	P			P								
Amusement Facility—Outdoor										P	P					S								
Animal Care Facility—Large Animal																				P	P			
Animal Care Facility—Small Animal									P	P	P	P	S	S		P				P	P			9.3.A

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Animal Breeder																			P	9.3.A			
Art Gallery									P	P	P	P	P						P				
Arts and Fitness Studio									P	P	P	P	P	P	S				P	S			
Bed and Breakfast	P	P	P	P															P	9.3.B			
Body Modification Establishment									S	P	P	P	P						P				
Broadcasting Facility—With Antennae																P			P	P	P	P	
Broadcasting Facility—No Antennae										P	P	P	P	P	P	P	P					P	
Campground																			S		P	9.3.C	
Car Wash										S	P	P										9.3.D	
Cemetery																					P		
Community Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P			
Conservation Area																			P		P	P	
Crematory										S	S	S										9.3.M	
Country Club																					P		
Cultural Facility										P	P	P	P	P	P					P	P		
Day Care Center										P	P	P	P	P	P					P	P	9.3.E	
Day Care Home	P	P	P	P	P	P	P	P														9.3.E	
Domestic Violence Shelter	P	P	P	P	P	P	P	P													P		
Drive-Through Facility										S	P	P										9.3.F	
Drug/Alcohol Treatment Facility, Residential											S			S						P			

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Drug Treatment Clinic												S								P			9.3.G	
Dwelling—Above the Ground Floor									P	P	P	P	P	P										
Dwelling—Manufactured Home	P	P	P	P	P	P	P													S				9.3.H
Dwelling—Multi-Family					P,S	P	P	P	P	P	P	P	P	P	P									9.3.I
Dwelling—Townhouse				S	P,S	P	P	P	P	P	P	P	P	P										9.3.I
Dwelling—Single-Family	P	P	P	P	P	P	P		P	P				P	P					P				
Dwelling—Two-Family		S	S	P	P	P	P		P	P				P	P									9.3.J
Eating and Drinking Establishment									S	P	P	P	P			P	P	P						
Educational Facility—Primary or Secondary	P	P	P	P	P	P	P	P		P	P	P	P							P				
Educational Facility—University or College/Vocational										P	P	S	P		P	S	P	P		S	P			
Financial Institution										P	P	P	P	P	P	P		P						
Financial Service, Alternative											S	S	S											9.3.K
Food Bank																P			P	P				
Food Pantry											S	S										P		
Food Truck Park										S	P	P	P	P			P	P						9.3.L
Fraternity/Sorority				S	S	S	S														P			
Funeral Home											S	S	S											9.3.M
Garden, Community	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9.3.N
Garden, Market	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9.3.N
Garden, Personal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9.3.N
Gas Station										S	S	P	P			S	S	P	P					9.3.O

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Marina										S						S	S			S	9.3.T	
Medical/Dental Office/Clinic										S	P	P	P	P	P	P		S				
Micro-Brewery/Distillery/Winery										S	P	P	P	P			P	P				9.3.U
Neighborhood Nonresidential Reuse	S	S	S	S	S	S	S	S														9.3.V
Nightclub											S	S	S	S								
Office											P	P	P	P	P	P	P	P	P	P	P	
Parking Lot											S	S	P								P	Art. 11
Parking Structure											P	P	P	P		P	P	P			P	Art. 11
Personal Service Establishment											P	P	P	P	P	P		P	P	P		
Place of Worship	S	S	S	S	S	S	S	S		P	P	P	P	P	P	P				P	P	
Pre-School/Kindergarten	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P				S	9.3.W	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P
Public Safety Facility	S	S	S	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility											P	P				P		P	P	P		
Reception Facility											P	P	P	P			S			S		9.3.X
Research and Development																	P	P	P	P	P	
Residential Care Facility							S	P	P	S	S	S	S	S							P	9.3.Y
Retail Goods Establishment											P	P	P	P			P	P	P			
Retail Liquor Stores											P	P	P	P			P					
Salvage Yard																			S			9.3.Z
Self-Storage Facility: Enclosed											S	P	P				P		P	P		9.3.AA

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Self-Storage Facility: Outdoor													S	P							P	P					9.3.AA		
Social Service Center													S														P		
Solar Farm					S	S	S	S					S	S			P				P	P	P	S	S			9.3.BB	
Storage Yard, Outdoor														P								P	P					9.3.CC	
Storage Yard, Outdoor— Secondary Use														P	P			S				P	P					9.3.CC	
Vehicle Dealership														P	P														
Vehicle Operation Facility																							P	P					
Vehicle Rental—Indoor													S	P	P	S													
Vehicle Rental—With Outdoor Storage/Display														P	P														
Vehicle Repair/Service													S	P	P				S									9.3.DD	
Warehouse and Distribution																			P	P	P	P							
Waste Transfer Station																							P						
Wholesale Establishment													S						S	P	P	P							
Wind Energy System																						S	S	S	S	S			9.3.EE
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		9.3.FF

TEMPORARY USE	EN	RN-1	RN-2	RN-3	RN-4	RN-5	RN-6	RN-7	C-N	C-G	C-H	C-R	DK	O	OP	I-MU	I-RD	I-G	I-H	AG	INST	OS	NA	USE STANDARD (Section)		
Animals for Control of Invasive Species	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		9.4.A
Farmers' Market							T	T	T	T	T	T	T	T	T	T				T	T	T				9.4.B

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Farmstand	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			T	T		9.4.C	
Mobile Food Units (MFUs)/Mobile Food Vendors										T	T	T	T	T	T	T	T	T			T			9.4.D
Real Estate Project Sales Office/Model Unit	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			T			Sec. 9.4.E
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			T			9.4.F
Temporary Outdoor Entertainment	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			T	T	T	9.4.G
Temporary Outdoor Sales	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			T	T		9.4.H
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T					9.4.I
Temporary Recreational Vehicle Park											T	T	T				T				T			9.4.J
Temporary Warehouse Sales (Indoor)																	T				T	T		9.4.K
Tent	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T					9.4.L

(Ord. No. [O-43-2020](#), § 1, 3-24-20; Ord. No. [O-61-2020](#), § 1, 4-21-20)