



TO: Knoxville-Knox County Planning Commission
FROM: Amy Brooks, AICP, Executive Director
DATE: 5/19/2022
SUBJECT: 6-B-22-OA Agenda Item #42

REQUEST

The Design Review Board requested Knoxville-Knox County Planning review and make a recommendation on an amendment to the City of Knoxville Zoning Code, Article 16.6.B (Infill Housing Overlay District Review) to create a process for issuing Level 1 certificates of appropriateness.

BACKGROUND

Currently, the code for Infill Housing Overlay District Review does not include a process for Level 1 (staff-level) review and approval. All projects listed under Article 16.6.B (new primary structures; additions visible from the primary street; changes to porches visible from the primary street; driveways, parking pads, access points, garages or similar facilities; and subdivision plats) require review at a monthly meeting of the Design Review Board.

Similar zoning overlays have procedures for staff-level approvals, including properties with Downtown Knoxville zoning subject to design review ([Article 16.5.D.4](#)), and properties with Historic and Neighborhood Conservation overlays subject to Historic Zoning Commission review ([Article 16.8.B](#)). Level 1/staff-level approvals are contingent on the proposed project clearly meeting all applicable design guidelines. Under the current process for H and NC overlays, staff or the applicant may always request a review by the HZC. If denied by staff, the applicant can appeal a staff decision to the Commission. Staff will present a report on Level 1 COAs issued at each monthly meeting.

The proposed Level 1 projects, provided the work meets the adopted design guidelines, are: subdivision plats; accessory structures; modifications or minor additions to existing parking areas; minor modifications to existing porches; minor revisions to previously-issued COAs. These proposed administrative approvals reflect the Level 1 projects listed on the adopted fee schedule.

The Design Review Board reviewed and approved the proposed ordinance amendment at the May 18, 2022 meeting.

ANALYSIS

Allowing for administrative approvals of minor projects in the Infill Housing overlay will expedite the application and review process for contractors, developers, and property owners. Administrative

approvals will also reduce unnecessary burdens on staff time. The proposed code amendment will create a more efficient process for applicants, while maintaining the stated purposes of the Infill Housing Overlay Zoning District ([Article 8.7.A](#)).

RECOMMENDATION

Staff recommends approval of an amendment to the Knoxville City Zoning Code, Article 16.6.E, to allow for administrative approval of applications for Level 1 Certificates of Appropriateness, for limited projects which meet the adopted design guidelines for the property.

Exhibit 1: Proposed amendment to Article 16.6.E, Infill Housing Overlay District Review, Applications



16.6 – Infill Housing Overlay District Review

[Added text is highlighted in red]

E. Applications

1. An application for a certificate of appropriateness must include:

- a. Front and side elevation drawings;
- b. Plot plan with address and CLT#;
- c. Elevation of corners;
- d. Finished floor elevation (approximate);
- e. Setbacks;
- f. Driveway and sidewalk locations (proposed and existing);
- g. Alley location if lot is adjacent to an alley;
- h. Applicable design guidelines checklist.

2. IH Overlay Application Process

a. The following Level 1 Certificates of Appropriateness will be reviewed and may be issued by staff when they find that the design conforms to adopted design guidelines for the property: subdivision plats; accessory structures; new driveways, parking pads, and access points; minor modifications or increases to existing parking pads; minor revisions to Level 1 Certificates of Appropriateness previously issued by staff; and minor modifications to existing porches. The Design Review Board will review all other matters for which applications are made.

b. Level 1 certificates will be summarized in a report to be presented to the Design Review Board at their regularly scheduled monthly meeting.

c. In the event of a denial of a Level 1 certificate, the applicant may appeal the staff decision to the next regularly scheduled meeting of the Design Review Board for which the application deadline is met.

d. The provisions of this section notwithstanding, staff or the applicant may exercise the option of requesting a review by the Design Review Board. In that event, the application for certificate of appropriateness will be heard by the Design Review Board at the next regularly scheduled meeting of the Design Review Board for which the application deadline is met.