

TO: Knoxville-Knox County Planning Commission
FROM: Jessie Hillman, AICP | Principal Planner
DATE: November 13, 2024
SUBJECT: 8-E-23-OA
Agenda Item #5

STAFF RECOMMENDATION:

Planning recommends approval of the amendment to the City of Knoxville Zoning Code, Article 12 Landscape, Table 12-2, Buffer Yard Requirements, which eliminates the requirement for a residential use in a nonresidential district to install a Class B Buffer when it abuts a residential district.

Planning recommends denial of all other proposed amendments.

BACKGROUND:

This ordinance amendment to the City of Knoxville Zoning Code, Article 12 – Landscape, was originally proposed by Mr. R. Bentley Marlow in August of 2023 (see Exhibit B). After review by the Planning Commission, a separate list of amendments was proposed by Planning Commissioner Logan Higgins to substitute Mr. Marlow’s amendments (see Exhibit C). These amendments were accepted by Mr. Marlow, who asked that they replace the original request. The final and current amendment request is reflected in Exhibit A. This item was tabled at the November 2023 Planning Commission meeting. Mr. Marlow untabled this case at the October 2024 Planning Commission meeting for consideration at the November 2024 meeting.

SUMMARY OF PROPOSED CHANGES:

- Article 12.2.A, Landscape Plan Required:
 - Adds language changing the requirement for a landscape plan so that is only required for developments that have more than 10,000 square feet of disturbed area or unless landscaping is required in another section of Article 12.
- Article 12.2.B.3, Content of Landscape Plan:
 - Removes the requirement to specify the species or name of plantings in a landscape plan for residential lots with a disturbed area less than 10,000 square feet. It adds a requirement that a list of the plants installed be maintained on site as evidence of compliance with this Article.
- Article 12.8.A, Buffer Yards:
 - Adds a provision for a walking path within a landscape buffer yard provided the buffer yard does not abut another impervious area. In a Class A buffer yard, the width of the walking path could not be more than 30% of the buffer yard width; In a Class B buffer

yard, the width of the walking path could not be more than 25% of the buffer yard width. This would only be permissible if there has been no other reduction in buffer yard width.

- Article 12.8.C, Buffer Yards:
 - Increases the permitted buffer yard reduction from 30% to 40% when the buffer yard incorporates a wall, solid fence, or a combination thereof.
- Article 12.8.F; Table 12-2: Buffer Yard Requirements:
 - Eliminates the requirement for a residential use in a nonresidential district to install a Class B buffer yard when it abuts a residential district.
 - Removes the requirement of a Class A buffer yard for multi-family parking lots abutting RN-3, RN-2, RN-1 or EN districts if the parking lot serves fewer than 5 dwelling units and a fence or solid wall is installed per Article 12.8.D.

STAFF ANALYSIS

Planning concurs with the objections to the proposed amendments submitted by the Deputy Director for Plans Review and Building Inspections (PRI). PRI's memo provides a point-by-point response to each proposed change. The following staff analysis provides additional commentary only where Planning has other considerations and/or objections not raised by PRI.

- **Article 12.2.A, removing the requirement for a landscape plan for said situations:**
 - Planning agrees with the PRI assessment and recommends denying this amendment.
- **Article 12.B.3, removing the requirement to identify plant species and plantings on a landscape plan for said situations:**
 - Planning agrees with the PRI assessment and recommends denying this amendment.
- **Article 12.8.A.1, allowing a walking path within a required buffer yard:**
 - Planning agrees with the PRI assessment and recommends denying this amendment.
- **Article 12.8.C, increasing the allowable reduction in a buffer yard width to 40% when incorporating a wall or solid fence:**
 - Increasing the incentive to build walls in place of landscaping contradicts several sections of the Landscape Purpose section described in Article 12.1. More walls and less landscaping does not create a desirable and functional open space environment (12.1.A). In fact, more walls and fences with less landscaping would likely have the opposite effect when done indiscriminately. Incentivizing more walls with the reduction of landscaping also does not accomplish any of the numerous environmental benefits described in section D. It does not utilize plant materials suitable to withstand climactic conditions (12.1.E), and it does not meet the intended landscape buffer screen as a means to minimize impacts (12.1.F).
 - In light of these contradictions with the intent of the Landscape Article, Planning recommends denial of this amendment.
- **Article 12.8.F, revising Table 12-2 Buffer Yard Requirements:**



- **Amendment 1 of this section pertaining to nonresidential uses abutting a residential district:**
 - Planning does not object to limiting a Class B Buffer requirement to only nonresidential uses in a nonresidential district when abutting a residential district. The proposed language aligns more with the primary intent of the buffer yard to shield different land uses. While the purpose statement for the buffer yard in Article 12.8 does note the intent to shield different zoning districts, Planning would not object to this being removed because zoning districts are legislative and abstract considerations whereas existing and/or proposed development relates more directly to tangible, environmental impacts requiring buffering.

- **Amendment 2 of this section, pertaining to parking lots serving fewer than 5 dwellings:**
 - Planning objects to an increased incentive for a fence or wall replacing landscaping for the same reasons cited in Article 12.8.C. It conflicts with the intent of the Landscape Article.

