

**Council Initiated Revisions to Recode Draft 5**  
**May 14, 2019 Special-Called Council Meeting**

Color Guide: Green represents Council changes, blue represents staff responses or suggestions, and red represents language removed or to be removed

#	Article	Page #	Section	Council initiated change	Staff Response and/or Proposed Edits	Council Action
1	<b>Article 1</b> Title, Purpose, and Applicability	1-1	1.2.B Purpose	Consider <b>adding</b> “one-year” plan in Article 1.2.B	<b>Edit</b> sentence to read as follows: “Promote orderly development of the City and implement the adopted Knoxville-Knox County General Plan which incorporates more specialized adopted plans including <b>adopted one-year plan</b> , sector plans, corridors plans, and small area plans adopted by City Council.”	
2	<b>Article 1</b> Title, Purpose, and Applicability	1-1	1.3.A Applicability -Territorial Application	Staff was directed to <b>draft</b> language to clarify whether the Code applies to land, uses, and structures used for governmental versus private purposes.	Staff recommends editing the subsection to read as follows: “ <b>This Code applies to all land, uses, and structures which are in the City of Knoxville and which are used for a private or non-governmental purpose.</b> ”	
3	<b>Article 1</b> Title, Purpose, and Applicability	1-2	1.4.B.2 And 1.4.B.4  Transition Rules -Existing Uses	<b>Clarify</b> subject still to BZA, Article 17	<b>Edit</b> the last sentences of 1.4.B.2 and 1.4.B.4 to read as follows: “Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Code for special uses <b>including review by the Board of Zoning Appeals.</b> ”	

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4	<b>Article 2</b> General Definitions & Measurements Methodologies	2-1	2.1 Rules of Interpretation	Staff was directed to look into <b>inserting</b> the introductory language from current Code to Article 2.1	Upon review, staff determined that the introductory language of Article II of the current Zoning Code is mostly incorporated with the exception of the definition for <b>“person.”</b> Therefore, staff proposes adding the following to Article 2.3, Definitions (likely page 2-19): <u><b>“Person. An individual, heirs, executors, administrators or assigns, and includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.”</b></u>	
5	<b>Article 2</b> General Definitions & Measurements Methodologies	2-1	2.1.D and 2.1.E Rules of Interpretation	Consider terminology	Leave as is and update Article 17 (Nonconformities) to reflect mandatory requirements with the use of <b>“shall”</b> rather than “may” or “must.”	
6	<b>Article 2</b> General Definitions & Measurements Methodologies	2-3	2.3 Definitions -“Animal Care Facilities – Small Animal”	<b>Strike</b> the last sentence in the definition. Also <b>revise</b> what will be the final sentence to read “Animal care facilities do not include animal breeders <u>or kennels.</u> ”	Staff will make changes in document	Approved on 5/14/19 (vote: unanimous)
7	<b>Article 2</b> General Definitions & Measurements Methodologies	2-12	2.3 Definitions -“Grade”	Request staff review and consider <b>defining</b> “grade”	Staff proposes adding the following definition from the current Code to Article 2.3, Definitions (likely page 2-12): <u><b>“Grade: A reference plane representing the average of finished ground level adjoining the building at all exterior walls Defined in Section 2.4.”</b></u>	

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8	<b>Article 2</b> General Definitions & Measurements Methodologies	2-14	2.3 Definitions -“Kennel”	In “Kennel” definition, <b>revise</b> “boarded” to “ <b>kept</b> ”	Staff will make changes in document	Approved on 5/14/19 (vote: unanimous)
9	<b>Article 2</b> General Definitions & Measurements Methodologies	2-21	2.3 Definitions -“Public Safety Facility”	<b>Consider clarifying</b> definition and allowed areas for “public safety facility.”	Upon review, staff suggests that no changes be made to this definition. Public safety facilities that are non-governmental and/or for profit must go through the public process in Article 16.4 to get permission for the special use in residential areas (see p. 9-5, Use Matrix).  Consider addressing any concerns regarding allowed areas in Article 9 Use Matrix.	
10	<b>Article 2</b> General Definitions & Measurements Methodologies	2-32	2.4.E.1.d Rules of Measurement -Building Height	Under Article 2.4.E. “Building Height,” request staff to review and <b>define</b> “grade.”	If “grade” is defined in #7 of this list in Article 2.3, this proposed change likely becomes unnecessary.	
11	<b>Article 4.</b> Residential Neighborhood Districts	4-2	4.2.B Uses	Consider <b>creating</b> a chart to help visualize 4.2.B	Consider Attachment 1: Staff Proposed RN-4 District Table, which staff created at Council’s suggestion, to be added immediately after Article 4.2.B.2.b	
12	<b>Article 4.</b> Residential Neighborhood Districts	4-2	4.2 Uses	<b>Revise</b> section to add current Code’s language on Residential Occupancy Standards and Functional Families as Article 4.2 subparts C. and D.	<b>Insert</b> from current Code’s language in Sec. 21-22 in Article V – see Attachment 2: Staff-Proposed Language for Article 4.2 (C) and (D)	Approved on 5/14/19 (vote: 5-4)

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13	<b>Article 4.</b> Residential Neighborhood Districts	4-8	4.5 Pocket Neighborhood Design Standards	<b>Strike</b> “RN-4” from the title bar of Section 4.5  <b>Insert</b> at the end of the first sentence “ <u>and which may be permitted in RN-4, RN-5, RN-6, or RN-7 districts</u> ”	Staff will make changes in the document	Approved on 5/14/19 (vote: unanimous)
14	<b>Article 5.</b> Commercial and Office Districts	5-1	5.1.A.2 Purpose Statements	Request staff to <b>revise</b> language to clarify that C-G is intended primarily for indoor commercial uses	<b>Insert</b> as last sentence of Article 5.1.A.2: “ <u>This zone is intended primarily for indoor commercial uses with limited exceptions per special use approval.</u> ”	
15	<b>Article 5.</b> Commercial and Office Districts	5-6	5.4.B.2 Design Standards	<b>Strike</b> “ <u>(does not apply to C-N and O)</u> ”	Staff will make changes in document	Approved on 5/14/19 (vote: 8-1)
16	<b>Article 6.</b> Industrial Districts	6-2	6.4.A Design Standards	<b>Clarify</b> language to make it clear that this applies to all buildings – including nonconforming buildings	<b>Revise</b> 6.4.A. to read as follows: “Table 6-2: “ <u>Subject to Article 17 of this Code,</u> Industrial Districts [...]” leaving the remainder of the sentence unchanged	
17	<b>Article 8.</b> Special Purpose and Overlay Districts	8-10	8.9.B HP Hillside Protection Overlay Zoning District	By 5/30/19, staff to <b>prepare</b> amendment which applies the HP overlay to districts under 8.9.B	Staff proposal is as follows for Article 8.9.B: “ <u>The regulations of the HP Overlay District apply to all lots in residential all districts [...]</u> ”	Approved on 5/14/19 (vote: 7-2)
18	<b>Article 9.</b> Uses	9-1 to 9-33	9.1 through 9.4	<b>Insert</b> correct references throughout – change 12.9 and 16.11, to 12.8 or 16.12 respectively (when incorrect)	Staff will make changes in document to correct inconsistencies	Approved on 5/14/19 (vote: unanimous)

#	Article	Page #	Section	Council initiated change	Staff Response and/or Proposed Edits	Council Action
19	<b>Article 9.</b> Uses	9-7	9.3.A.1 Principal Use Standards -Animal Care Facility [...]	<b>Update</b> “Animal Care Facility” regarding the number of animals to “ <b>five</b> ” instead of “four”	Staff will make changes in document	Approved on 5/14/19 (vote: unanimous)
20	<b>Article 9.</b> Uses	9-14	9.3.L.10 Principal Use Standards -Food Truck Park	<b>Edit</b> sentence to read as follows: “ <b>Permanent</b> <del>R</del> estroom facilities must be provided and available for both customers and employees”	Staff will make changes in the document	Approved on 5/14/19 (vote: unanimous)
21	<b>Article 9.</b> Uses	9-26	9.3.FF.8 Principal Use Standards -Wireless Communications	Council passed to staff to make <b>clarifications</b>	<b>Switch</b> order of sentences under “8. Application submittal requirements” and <b>correct typo</b> to read as follows: “ <b>An application must be filed with the Knoxville-Knox County Planning Commission <del>Planning Commission</del> on forms provided for that purpose. In addition to the required application information, the application must include the following:</b> ”	
22	<b>Article 9.</b> Uses	9-32	9.4.H.5 Temporary Use Standards -Temporary Outdoor Sales	Correct typo in H.5; might be able to be corrected by adding “ <b>sales</b> ”	Staff proposes <b>editing</b> the subsection to read as follows: “5. A portion of a parking area may be used for temporary outdoor <b>sales</b> . Permanent outdoor display structures [...]	

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23	<b>Article 9.</b> Uses	9-31	9.4.H Temporary Use Standards -Temporary Outdoor Sales	Councilmembers McKenzie and Roberto began discussing Temporary Outdoor Events, but Councilwoman Rider suggested for this to be discussed at the next meeting because of the importance of the topic and because of the late hour. Councilmembers agreed to table that discussion until the May 30, 2019 Special-Called Council meeting.		

**Items for Future Discussion or Possible Action following Adoption of “Recode”  
May 14, 2019**

#	Article	Page #	Section	Future Discussion/Possible Action	Speaker(s)
1	<b>Article 4.</b> Residential Neighborhood Districts	4-1 to 4-9	Throughout Article 4	Is there a need for another Residential Neighborhood District?	Councilmember Lauren Rider
2	<b>Article 6.</b> Industrial Districts	6-1	Art. 6.3. Dimensional Standards	Chamber of Commerce would like to discuss the possibility of changing Table 6-1 of Article 6.3 to allow maximum heights for buildings in I-G and I-H to be 90 feet instead of 50 feet	Amy Nolan, Chamber of Commerce